REMARKS

This Application has been carefully reviewed in light of the Office Action dated October 5, 2010 ("*Office Action*"). At the time of the *Office Action*, Claims 1-18, 20, 22, 24, 26, 28, 30, and 32 were pending and rejected. To provide further clarification, Applicants have amended Claims 1, 9, and 14-17. Applicants respectfully submit that no new matter is added by these amendments and at least a portion of these amendments are not necessary for patentability. Applicants respectfully request reconsideration and allowance of all pending claims.

Section 102 Rejections

The Examiner rejects Claims 1-18, 20, 22, 24, 26, 28, 30, and 32 under 35 U.S.C. § 102(e) as being clearly anticipated by U.S. Patent No. 6,976,210 issued to Silva et al. ("*Silva*"). For at least the following reasons, Applicants respectfully traverse these rejections.

Applicants respectfully remind the Examiner that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added); M.P.E.P. ch. 2131. "The *identical invention* must be shown in as *complete detail as contained* in the . . . claim ." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989) (emphasis added); see also M.P.E.P. ch. 2131. In addition, "[t]he elements must be arranged as required by the claim." Richardson v. Suzuki Motor Co., 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); In re Bond, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990); M.P.E.P. ch. 2131.

The Federal Circuit recently clarified this standard in *Net Moneyin, Inc. v. Verisign, Inc.*, 2008 WL 4614511 (Fed. Cir. 2008). In *Net Moneyin*, the Federal Circuit held that a finding of anticipation under 35 U.S.C. § 102 is proper only when a "reference discloses within the four corners of the document not only all of the limitations claimed but also *all of the limitations arranged or combined in the same way* as recited in the claim." *Net Moneyin* at *10 (emphasis added). The prior art reference must "*clearly and unequivocally* disclose the claimed invention ... *without any need for picking, choosing, and combining various disclosures not directly related to each other by* the teachings of the cited reference." *Id.* (emphasis added, internal typographical notations omitted).

Independent Claim 1 of the present Application, as amended, recites:

A method for defining a composite web page, comprising:

identifying a web page;

analyzing the web page to determine a list of HTML tags, each HTML tag corresponding to a particular portion of the content of the identified web page;

presenting the determined list of HTML tags to a user in a navigation pane of a first computer, the navigation pane presenting the determined list of HTML tags in the form of a tree structure that provides a visual representation of relationships between the HTML tags corresponding to particular portions of the content of the identified web page, the navigation pane operable to allow the user to view and select one or more of the HTML tags corresponding to particular portions of the content of the identified web page from the determined list of HTML tags;

receiving, from the first computer, a user selection of at least one HTML tag from the determined list of HTML tags in the form of the tree structure;

in response to receiving the user selection of the at least one HTML tag, presenting, in a preview pane, the particular portion of the content of the identified web page corresponding to the at least one selected HTML tag from the determined list of HTML tags, the preview pane operable to allow the user to visually verify the user selection;

registering the user selection of the at least one HTML tag from the determined list of HTML tags; and

rendering the identified portion of content corresponding to the at least one HTML tag to form the composite web page for display on a second computer, the placement of the identified portion of content on the composite web page determined automatically, at the time of rendering and when the composite webpage is requested, based on one or more run-time variables comprising the dimensions of a window to display the composite web page on the second computer.

Thus, Applicants' claim relates to receiving a user selection of HTML tags from a first computer and then rendering the identified portions of content in the composite web page on a second computer. Applicants claim further requires that the placement of the content on the web page is determined automatically, at the time of rendering and when the composite webpage is requested, based on one or more run-time variables including the dimensions of a window to display the composite web page on the second computer. Applicants continue to respectfully submit that *Silva* does not disclose, either expressly or inherently, each and every element of the claims. Certainly, *Silva* does not disclose all of the limitations arranged or combined in the same way as recited in Applicants' Claim 1.

Rather, with respect to the design of the Web view, *Silva* describes that *the user* uses a web clipping manager to specify the layout of information content. (*Silva*, Column 8, line 22 through Column 9, line 15, emphasis added). *Silva* describes:

> Once the Web Clipping manager has created the extraction script and the refresh frequency has been specified together with an optional notification mechanism, the layout of the clipping *may need to be specified* if it contains more than one element from a source page. Further, the layout of the clipping with respect to the entire Web view may be *specified such as by specifying the size of the frame that the clipping should occupy, the X, Y coordinates* of where the information within the clipping is to be placed and other options such as, for example, whether or not the clipping is scrollable. A default layout can also be specified in which case the system will place the Web clipping in the Web view according to how the system determines them to be best placed. The layout may also be specified by a point-and-click-and-drag interface, where *users visually manipulate frames* corresponding to Web clippings, to resize them, and place them at a desired position within the Web view window.

(*Silva*, Column 8, line 66 through Column 9, line 15, emphasis added). Thus, *Silva* specifies that the user inputs the layout information including the X, Y coordinates and the sizing the of the information content.

In response, the Examiner points to column 9, lines 40-55 of *Silva*. However, that portion of *Silva* merely relates to an Table showing the internal representation of the Web view. According to *Silva*, the clipping named "My Quicken Portfolio" has a layout height equal to 100 and a layout width equal to 100 and is located at the x/y 0/0 origin. (*Silva*, Column 9, lines 40-55; Column 10, lines 14-19). Conversely, if the layout tag is not included, *Silva* merely discloses that "default layout settings will be used for that clipping." (*Silva*; Column 9, lines 52, 56, and 61; Column 10, lines 41-44). Thus, *Silva* discloses that the user can specify the layout in advance of a rendering of the web view or default settings will be used. With regard to the default layout, *Silva* merely discloses that "the system will place the Web clipping in the Web view according to how the system determines them to be best placed." (*Silva*, Column 9, lines 9-11). There is no disclosure in *Silva*, however, of using the dimensions of the window on which the web view is to be rendered to determine placement. Even if the dimensions of the data are used in the system of *Silva* (a fact that Applciants' do not admit), using the dimensions of the data to determine placement is not analogous to using the "dimensions of the window" on the second computer. Furthermore,

Applicants respectfully submit that there is no disclosure that a first computer may be used to set up the composite view but that a second computer may be used in the rendering of the composite view. Accordingly, it continues to be Applicants' position that *Silva* does not disclose, teach, or suggest "rendering the identified portion of content corresponding to the at least one HTML tag to form the composite web page for display on a second computer, the placement of the identified portion of content on the composite web page determined automatically, at the time of rendering and when the composite webpage is requested, based on one or more run-time variables comprising the dimensions of a window to display the composite web page on the second computer," as recited in amended Claim 1.

For at least these reasons, Applicants respectfully request reconsideration and allowance of independent Claim 1, together with Claims 2-8, 18, and 22 that depend on Claim 1. For analogous reasons, Applicants also request reconsideration and allowance of independent Claims 9, 14, 15, 16, and 17, together with Claims 10-13, 20, 24 that depend on Claim 9 and Claims 26, 28, 30, and 32 that depend on Claims 14, 15, 16, and 17, respectively.

Failure to Establish Prima Facie Rejection

Applicants submit that the above indicated errors in failing to establish a *prima facie* case are clear errors of law as defined by the Official Gazette Notice of July 12, 2005, establishing the procedure for the Pre-Appeal Brief Request for Review, and if maintained, would clearly be overturned by a Pre-Appeal Panel.

No Waiver

All of Applicants' arguments and amendments are without prejudice and disclaimer. Additionally, Applicants have merely discussed example reasons for allowability sufficient to overcome the Examiner's rejections. Applicants reserve the right to discuss additional reasons for allowance, such as additional distinctions over the references cited, the improper combination of the cited references, or the improper use of one or more references as prior art, in a later Response or on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicants do not acquiesce to the Examiner's additional statements.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner believes that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Jenni R. Moen, Attorney for Applicants, at the Examiner's convenience at (214) 415-4820.

Applicants believe no fees are due; however, the Commissioner is hereby authorized to charge any fees or credits to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants

Jenni R . Moen
Reg. No. 52,038

Date: _Dec. 20, 2010_

CORRESPONDENCE ADDRESS:

at Customer No.   **05073**